

Ballot Measure 1

Shall there be a Constitutional Convention?

BALLOT QUESTION

The Alaska State Constitution states that during any ten-year period, if a constitutional convention has not been held, the lieutenant governor shall place on the ballot for the next general election the question:

SHALL THERE BE A CONSTITUTIONAL CONVENTION?

YES ☐

NO ☐

BALLOT MEASURE SUMMARY Prepared by the Legislative Affairs Agency

This question relates to a call for a constitutional convention. At the convention the state constitution may be amended or revised, subject to approval by the voters. Under the state constitution, the voters must have the chance to vote on the question of whether there should be a constitutional convention if there has not been a convention during the last ten years. There has not been a convention in the last ten years. This question asks voters to say whether there should be a constitutional convention.

STATEMENT IN SUPPORT

ONLY A CONVENTION CAN:

PROTECT THE PERMANENT FUND DIVIDEND. First, protect it - cap it and inflation proof it.

HEAL URBAN RURAL DIVIDE. Only one Native served in the 1956 convention. Since 1956, circumstances of rural life have changed dramatically. With full representation of Alaska Natives, this convention can positively address subsistence and the rifts that separate urban and rural people.

The constitution's authors could not have imagined that so much power would be centered in the state by oil money. A new convention could consider shifting power and responsibility to communities and regions. It could establish a complete pattern of regional governments as the first convention thought it had done. Give local government adequate funding and responsibilities.

FIX THE LEGISLATURE. The legislature has become rudderless and self-interested. Too much money pulls too many hidden strings. Give the legislature back to the people by creating small, single member districts that can be won with shoe leather, not money, districts which don't have to include communities remote from each other. Cut the bloat in the

legislature's operating budget, including salaries and expenses with a flexible lid.

ADOPT A STATE FISCAL PLAN. A plan has proven to be beyond the capability of recent legislatures. The convention can also adopt initiative proposals for legislation, not part of the constitution. These are voted on by the public and still leave room for the flexibility of future legislative amendment.

You may have other concerns you would like to see addressed. Now, only the legislature can originate amendments, all to be sifted through the self-interest of career legislators.

A convention can, and probably will propose amendments to be voted on separately. It is not necessarily one up or down vote. In any case, nothing will change without a confirming vote of the people.

A convention, with appropriate preliminary proceedings, is a statewide town meeting. Its delegates are elected like legislators, but for one time, one task only. Everything can be discussed, but nothing becomes law without voter approval.

DON'T LET YOUR VOTE BE GUIDED BY FEAR. There is a lot of common sense in the people. You do not have to elect extremists. The state bill of rights duplicates those protected in the federal constitution. They can't be changed. Unique in the Alaska constitution is the right of privacy. Who is going to tear that down? Privacy could be strengthened by applying it to corporate intrusions.

In 1956 a small group of people invented Alaska's state and local governments from scratch. They did well, but could not have anticipated fifty years of radical change. We the People in 2002 also have a right and a duty to critically scrutinize these designs and update them for ourselves and future generations.

VOTE YES

John Havelock, Attorney General of Alaska (1970-1973)
Director of Legal Studies, University of Alaska (1975-1985)

The statement printed on this page is the opinion of the author and is presented as submitted to the Division of Elections.

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STATEMENT IN OPPOSITION

The League of Women Voters of Alaska (LWVAK) urges Alaskans to vote **"NO"** on this ballot measure. It is unnecessary, costly and potentially dangerous. The Alaska Constitution is considered a model constitution. It is a flexible and concise document that can adapt to changing needs.

UNNECESSARY. Although there are criticisms of government in Alaska, the problems are not with the Constitution, but with how it is implemented. While certain issues prompt intense public interest, a constitutional convention is **NOT** the best way to address these issues.

The Alaska Constitution can be amended as follows: The legislature can propose specific amendments to the Constitution by a two-thirds vote of each house. Such proposed amendments must then be placed on the ballot and ratified by a majority vote of the people at a general election.

The LWVAK supports the amendment process for any needed changes. The amendment process has worked more than forty times, and it can continue to work in the future. In this way the people have an opportunity to address specific issues rather than risk opening up the entire Constitution for major changes.

COSTLY. No dollar amount has been determined for the cost of holding a constitutional convention, but undoubtedly it would be large.

The Constitution states that election of delegates to the convention shall be chosen at the next regular statewide election, unless the legislature provides for the election of the delegates at a special election. A special election would be extremely costly. In addition, there would be costs associated with holding the convention itself.

With our current "budget gap" can we afford the cost? When we can't even afford basic services in some parts of Alaska, we certainly should not spend scarce funds on a constitutional convention with no clear purpose.

DANGEROUS. A constitutional convention would have plenary powers to amend or revise our Constitution. In other words, the entire Constitution would be open to change. This could put the Constitution at risk with unlimited and unpredictable amendments being proposed by special interest groups. The convention could be slanted toward special interest rather than the good of the general public.

The legislature would set the ground rules for election of

delegates to the constitutional convention. A legislator may be a candidate for delegate. It is likely that delegates to the convention would be elected from districts - as legislators are now. With the current demographics in Alaska, this would mean a minimal representation for the rural areas of the state, thereby lessening the chance that their voices would be heard and their needs and concerns considered.

In 1972, 1982 and 1992, the LWVAK opposed a constitutional convention. Now, in 2002, we again oppose a constitutional convention. We urge you, the voters, to also oppose it.

Let us not sail into uncharted waters and run the risk of unnecessary changes to Alaska's model Constitution.

VOTE NO ON BALLOT MEASURE NO. 1 ON NOVEMBER 5th.

Cheryl Jebe, President, League of Women Voters of Alaska
Concurring: Katie Hurley, Chief Clerk, 1955 Constitutional Convention, and former legislator

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